

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER T. ST. JOHN,

Defendant.

8:19-CR-234

ORDER

The defendant has filed a motion (filing 166) to reconsider the Court's previous order (filing 165) denying his motion for copies (filing 164). The defendant's motion will again be denied.

The only thing the defendant adds to his previous motion is some explanation for why he wants a sentencing transcript. First, he suggests that somehow, the sentencing transcript will reveal that the Court was without subject matter jurisdiction. Filing 166. That gives the Court no reason to believe that he has a non-frivolous claim for postconviction relief. The defendant admitted to conspiring to possess and distribute methamphetamine in the District of Nebraska, after being found in possession of methamphetamine in Nebraska and selling methamphetamine to a confidential informant in Nebraska. *See* filing 150 at 30-31. Those circumstances plainly permitted his prosecution in this Court. *See* 18 U.S.C. § 3231; *United States v. Wesley*, 990 F.2d 360, 363 (8th Cir. 1993).

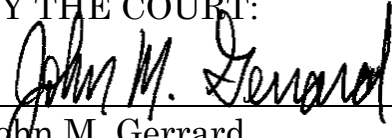
The defendant also suggests that the sentencing transcript would reveal a basis for a motion to reduce sentence pursuant to U.S.S.G. § Amend. 821. But Amendment 821 doesn't apply to the defendant, as he was neither a "zero-point" offender, nor did his criminal history calculation include any "status points." *See* filing 158.

For those reasons, and the reasons previously stated in filing 165,

IT IS ORDERED that the defendant's motion to reconsider (filing 166) is denied.

Dated this 29th day of April, 2024.

BY THE COURT:



John M. Gerrard
Senior United States District Judge